

A Summary of the 1851 and 1868 Treaty Issue in South Dakota

The Great Sioux Nation, which is composed of the Lakota, Dakota, and Nakota speaking people, once resided in a vast land area in the central part of the United States covering what is now 14 states and 3 Canadian Provinces. One of the Lakota origin stories says that the people of the Great Sioux Nation came onto the Earth from the mouth of Wind Cave in the Black Hills. The Black Hills were so sacred that they were used for ceremonial, medicinal, and funeral purposes only.

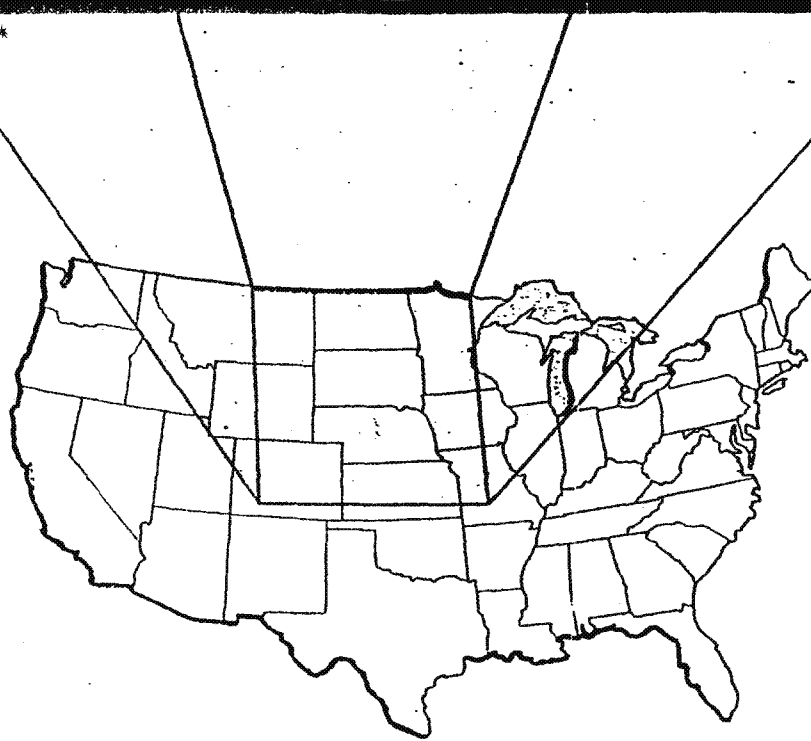
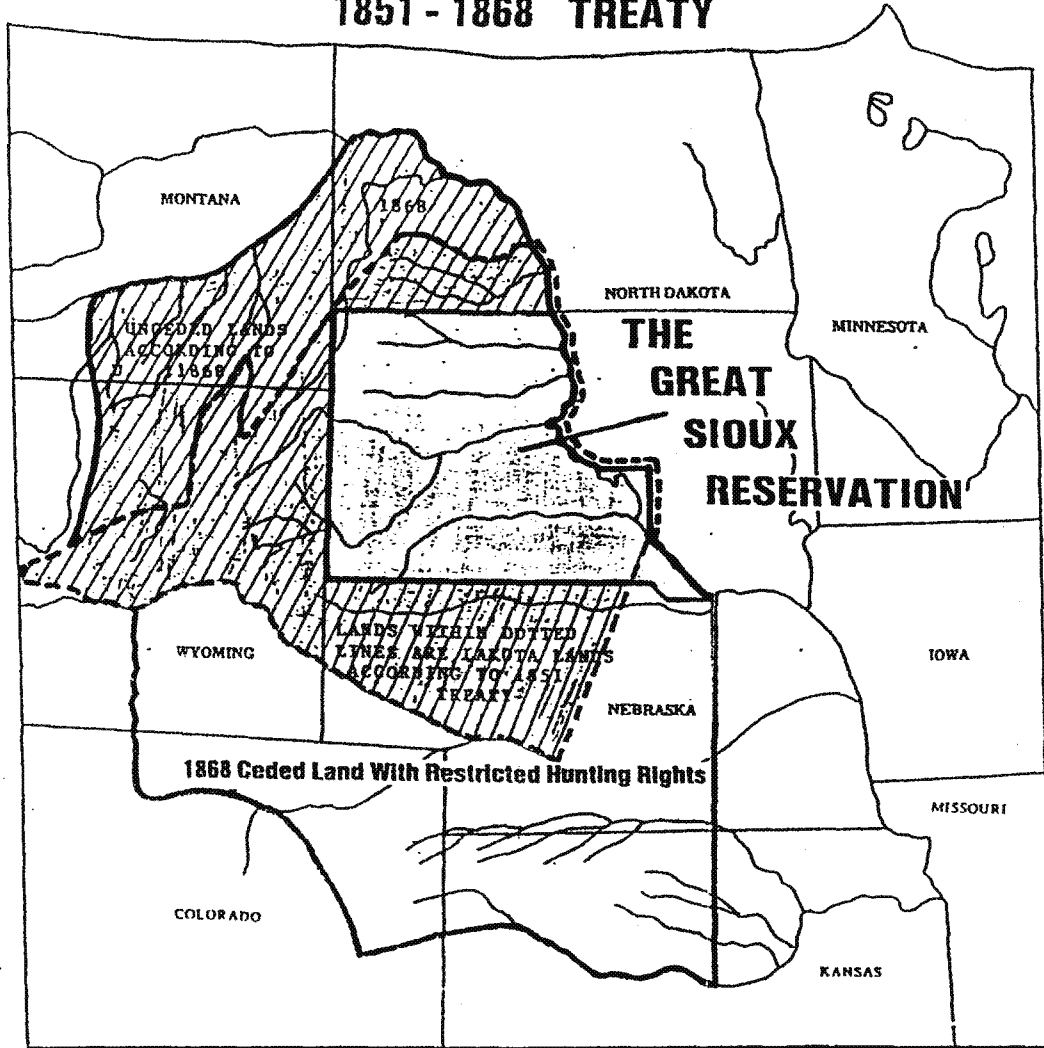
The encroachment of the European-Americans, and the subsequent devastation of the buffalo, caused the people of the Great Sioux Nation to wage war upon the United States. When the US realized that they could not win the war, they asked the Great Sioux Nation for a treaty for peace. The Great Sioux Nation agreed in 1851, and again in 1868, to treaties for peace at the request of the US, both times relinquishing large tracts of land but always keeping the sacred Black Hills intact within their care. The people of the Great Sioux Nation had resided in this area for over 11,000 years.

On March 3rd, 1871, the US Congress passed a law which said that treaties made prior to that date would not be abolished. It also said that no new treaties would be made in the future with Indian nations. From that date to this, since the Fort Laramie Treaty of 1868 was made prior to March 3, 1871, any laws passed by the United States are applicable only to the people of the United States, but not to the people of the Great Sioux Nation. To try to enforce any American law that violates the Fort Laramie Treaties of 1851 and 1868 would also be a violation of the March 3rd Act of 1871. Furthermore, to violate any treaty would also be a violation of the US Constitution which states that "treaties are the supreme law of the land."

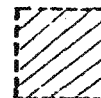
The land area that is stipulated in the Fort Laramie Treaties of 1851 and 1868 includes all of western South Dakota from the East bank of the Missouri River to the summits of the Big Horn Mountains. This also includes all of the Black Hills and is the actual, legal, land base of the Great Sioux Nation. A larger land area surrounds this central base and is reserved for the exclusive use of the people of the Great Sioux Nation. This reserved area includes portions of Nebraska, Colorado, Wyoming, Montana, and North Dakota.

William Allen White, a newspaper publisher, once said, "Peace without justice is tyranny." Upholding the 1868 Fort Laramie Peace Treaty would be upholding justice as well as the Constitution of the United States.

1851 - 1868 TREATY



1851 and 1868
Unceded Land
Reserved For
Hunting
Use



1851 Treaty Land
Settlement